THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 19882 of 2007

DT: 24.09.2007

Between:

G.V.Ramana Murty, Visakhapatnam

… Petitioner

And:

The Greater Visakhapatnam Municipal Corporation, rep. by its Commissioner, Visakhapatnam

… Respondent

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 19882 OF 2007

ORAL ORDER :

The writ petition is filed on an apprehension that the respondent would demolish the constructions in Plot Nos. 5 & 6 of Ward No.30, TS No. 539/P in Narasimhanagar, Visakhapatnam. The petitioner asserts to have constructed a residential complex comprising ground floor and four floors, in all 20 flats, strictly in accordance with the sanctioned building permit issued by the respondent.

Mr. N.Ranga Reddy, the learned Standing Counsel for the respondent-Corporation submits that pursuant to the directions issued by the Hon'ble First Division Bench of this

court in a PIL, the respondent is proceeding to take lawful steps for demolition of all unauthorized constructions, but no demolitions are proposed as yet for the petitioner's premises and no notice was therefore issued. It is stated that demolitions will be made only after following the procedure mandated by Sec. 452 or Sec. 636 of the Hyderabad Municipal Corporation Act 1955 ('the Act') as are applicable to the respondent-Corporation.

It is needless to State that the respondent is obligated to demolish all unauthorized constructions. For this purpose the respondent shall inspect the petitioner's premises and verify the constructions therein with the sanctioned building permit. If there be any violations from the sanctioned building permit, the respondent shall forthwith initiate steps in accordance with law u/Secs. 452 or 636 of the Act, for demolition of the unauthorized constructions. The respondent shall not however make demolitions except in accordance with law.

The writ petition is disposed of as above, at the stage of admission. No order as to costs.

24.09.2007 ----------

Pvsn/Tsnr Justice G.Raghuram